

**Remarks on S. 1955, The Health Insurance Marketplace Modernization Act
By U.S. Representative Tom Allen
April 21, 2006**

GOOD MORNING. AS MANY OF YOU KNOW, ACCESS TO QUALITY, AFFORDABLE HEALTHCARE HAS BEEN A PRIORITY OF MINE SINCE I FIRST CAME TO CONGRESS. THAT'S WHY I'M SPEAKING TODAY ON A THREAT TO HEALTH CARE IN MAINE THAT LOOMS IN THE U.S. SENATE, AND WHY I'M ASKING SENATORS SNOWE AND COLLINS TO VOTE NO WHEN THIS MISGUIDED BILL COMES TO THE FLOOR.

SENATOR MICHAEL ENZI OF WYOMING HAS INTRODUCED S. 1955, THE HEALTH INSURANCE MARKETPLACE MODERNIZATION ACT. THIS BILL CREATES A KIND OF ASSOCIATION HEALTH PLAN EXEMPT FROM IMPORTANT STATE CONSUMER PROTECTIONS. BUT IT ALSO EXEMPTS ALL INSURERS IN THE STATE-REGULATED INSURANCE MARKET FROM THOSE PROTECTIONS. THAT MEANS INSURANCE COMPANIES COULD WEED OUT THE OLD AND THE SICK, AND DENY CONSUMERS COVERAGE FOR BASIC HEALTH CARE NECESSITIES. A BETTER NAME WOULD HAVE BEEN THE REPEAL PATIENT PROTECTIONS ACT. THE EFFECT OF THE BILL IS TO INCREASE HEALTH CARE COSTS FOR THOSE WHO ARE OLDER, SICKER, OR OF CHILD-BEARING AGE.

THE BILL PASSED OUT OF THE SENATE HEALTH, EDUCATION, LABOR AND PENSIONS COMMITTEE LAST MONTH AND WILL LIKELY BE VOTED ON BY THE FULL SENATE IN MAY. IT'S RARE FOR ME TO SPEAK ON A BILL BEFORE THE U.S. SENATE. BUT ABUSIVE PARLIAMENTARY MANEUVERING BY THE HOUSE REPUBLICAN LEADERSHIP WILL PROBABLY PREVENT THE ENERGY & COMMERCE COMMITTEE, ON WHICH I SIT, FROM CONSIDERING THE BILL. IF BROUGHT TO THE HOUSE FLOOR AS A CONFERENCE REPORT, WE WILL HAVE ONLY ONE HOUR OF DEBATE ON THE BILL WITH NO OPPORTUNITY FOR AMENDMENTS. THIS BILL NEEDS TO BE STOPPED IN THE SENATE.

THE ENZI BILL UNDERMINES THE WHOLE IDEA OF INSURANCE: THAT WE SHARE THE RISKS OF ILLNESS AND INJURY. IT OVERRIDES CAREFULLY CRAFTED STATE RULES THAT OBLIGE INSURERS TO COVER IMPORTANT BENEFITS AND SPREAD RISKS AMONG ALL THEIR BENEFICIARIES. IT'S A GOOD BILL ONLY FOR PEOPLE WHO ARE HEALTHY TODAY AND KNOW TO AN ABSOLUTE CERTAINTY THAT THEY WILL NEVER SUFFER ACCIDENT OR ILLNESS. BUT WE ALL AGE AND WE ALL HAVE HEALTH CARE NEEDS AT SOME POINT.

THE ENZI BILL OVERRIDES STATE LAWS IN MAINE THAT REQUIRE INSURERS TO OFFER CRITICAL SERVICES LIKE CERVICAL CANCER SCREENING, PROSTATE CANCER SCREENING, DRUG ABUSE TREATMENT, EMERGENCY SERVICES, HOME HEALTH CARE, MAMMOGRAPHY SCREENING, DIABETES SUPPLIES AND EDUCATION, AND MENTAL HEALTH CARE.

INSURERS COULD IGNORE THOSE REQUIREMENTS, AND THE ENZI BILL WOULD BAR MAINE FROM ENFORCING ANY LAW REGARDING BENEFITS. THE BILL ELIMINATES STATE REGULATIONS THAT REQUIRE INSURERS TO PROVIDE ACCESS TO DENTISTS, CHIROPRACTORS, NURSE MIDWIVES, NURSE PRACTITIONERS, OSTEOPATHS, PSYCHOLOGISTS, AND OTHER PROVIDERS.

THE ENZI BILL ISN'T JUST BAD FOR CONSUMERS; IT'S BAD FOR SMALL BUSINESS.

S. 1955 OVERRIDES STATE LAWS THAT PROTECT SMALL BUSINESSES FROM DISCRIMINATORY PRICING PRACTICES. INSURERS COULD CHARGE HIGHER PREMIUMS TO SMALL BUSINESSES IF SOME OF THEIR WORKERS ARE IN POOR HEALTH. UNLIMITED PREMIUM INCREASES BASED ON THE SEX, AGE OF WORKERS, OR WHERE THEY LIVE WOULD BE ALLOWED. TODAY, MAINE PROHIBITS INSURERS FROM CHARGING HIGHER PREMIUMS BASED ON HEALTH OR GENDER AND LIMITS HOW MUCH PREMIUMS CAN VARY BASED ON AGE OR GEOGRAPHY. NEW HAMPSHIRE RECENTLY REPEALED A LAW VERY SIMILAR TO S. 1955 WHICH ALLOWED INSURANCE COMPANIES TO DISCRIMINATE AGAINST SICK WORKERS AND THAT DRAMATICALLY INCREASED INSURANCE RATES FOR SMALL BUSINESSES.

WE MUST MAKE HEALTH INSURANCE MORE AFFORDABLE AND ACCESSIBLE FOR SMALL BUSINESSES AND THEIR EMPLOYEES. THAT'S WHY I WROTE THE SMALL BUSINESS HEALTH PLANS ACT, WHICH ESTABLISHES A HEALTH BENEFITS PROGRAM FOR BUSINESSES WITH UP TO 50 EMPLOYEES. MY BILL CREATES NEW PURCHASING POOLS TO PROVIDE A CHOICE OF HEALTH PLANS TO SMALL BUSINESSES, THEIR WORKERS, AND THE SELF-EMPLOYED COMPARABLE TO WHAT IS OFFERED TO FEDERAL EMPLOYEES. INSURANCE COMPANIES WOULD BE ELIGIBLE FOR FEDERAL REINSURANCE COVERAGE FOR CATASTROPHIC CASES. PREMIUM ASSISTANCE WOULD BE AVAILABLE FOR SMALLER BUSINESSES AND LOWER WAGE WORKERS.

FINALLY, MY BILL INCLUDES INCENTIVES FOR INSURANCE COMPANIES TO REDUCE COSTS. UNLIKE THE ENZI BILL, MY BILL ADDRESSES BOTH ACCESS TO

HEALTH CARE AND ITS QUALITY. IT IMPROVES THE INTEGRITY OF THE HEALTH INSURANCE MARKET AND PROTECTS EVERYONE.

TODAY I'M URGING SENATORS SNOWE AND COLLINS TO VOTE AGAINST THE ENZI INSURANCE BILL WHEN IT COMES BEFORE THE SENATE. THEY MAY HAVE THE LAST OPPORTUNITY TO PREVENT THIS DANGEROUS LEGISLATION FROM BECOMING LAW.

THE HEALTH CARE CRISIS IN AMERICA DEMANDS REAL REFORM. BUT WE CANNOT "MODERNIZE" HEALTH CARE IN AMERICA BY SHIFTING COSTS TO PEOPLE WITH SERIOUS ILLNESS OR INJURIES. THERE ARE MANY BETTER IDEAS, INCLUDING MY SMALL BUSINESS HEALTH PLANS ACT.